

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)
Petitioner,)
v.) CERTIFICATION OF A
ROBERT SEGER,) SEXUALLY DANGEROUS PERSON
Register Number 10309-036,)
Respondent.)

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 10th day of March, 2008.

George E. B. Holding
United States Attorney

CERTIFICATE OF SERVICE

This is to certify that I have this 10th day of March, 2008, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

ROBERT SEGER,
Register Number 10309-036
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Civil Division

CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Anthony A. Jimenez, am Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Robert Seger, Register Number 10309-036, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of a 60-month term of imprisonment on each of two counts of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B); a 120-month term of imprisonment on each of two counts of Receipt and Distribution of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(2); and a 120-month term of imprisonment on each of three counts of Production of Child Pornography, in violation of 18 U.S.C. § 2251(a). All terms are being served concurrently with each other. Inmate Seger was further sentenced to a 36-month term of supervised release on all counts, to be served concurrently to each other, to commence upon his release from imprisonment (D. Maine) (Case No. 1:98CR00065). His offense conduct included downloading and possessing images of children engaged in sexually explicit conduct, transmitting sexually

explicit images of children over the internet to another individual, taking pictures of his sexual activity with a 13-year-old boy, and taking sexually explicit pictures of the boy's 12-year-old brother. His projected release date is March 20, 2008.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his current offense conduct. Additionally, he was convicted of four counts of Gross Sexual Assault and four counts of Sexual Abuse of a Minor, in the Superior Court of Penobscot County, Maine (Case No. CR-98-630), for engaging in a sexual act with a 12-year-old boy on three occasions, engaging in a sexual act on three occasions with another boy who was between the ages of thirteen and fourteen years old, and engaging in a sexual act with a 14-year-old girl on two occasions. These convictions arose out of the same events that resulted in his current federal convictions. He was also previously convicted of two counts of Assault in

the Superior Court of Hancock County, Maine (Case No. CR 88-49), for engaging in sexual activity with a minor;

(b) A limited psychological review indicated Axis I diagnoses of Pedophilia, Exclusive Type, Sexually Attracted to Males, and Adjustment Disorder with Depressed Mood;

(c) An initial assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his current and prior offense conduct, his continued sexual offending despite a history of sex offender treatment, intimacy deficits, and negative associates or peer influences, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Anthony A. Jimenez

Anthony A. Jimenez
Chairperson
Certification Review Panel
Federal Bureau of Prisons

2/19/2008

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)
)
Petitioner,)
)
v.) ORDER
)
ROBERT SEGER,)
Register Number 10309-036,)
)
Respondent.)

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2008.

W. EARL BRITT
Senior U.S. District Judge